1	EDMUND G. BROWN JR., Attorney General of the State of California JANICE K. LACHMAN	
2		
3	Supervising Deputy Attorney General LORRIE M. YOST, State Bar No. 119088	
4	Deputy Attorney General 1300 I Street, Suite 125	
5	P.O. Box 944255 Sacramento, CA 94244-2550	
6	Telephone: (916) 445-2271 Facsimile: (916) 327-8643	
7	Attorneys for Complainant	
8		
9	BEFORE THE	
10	BOARD OF REGISTERED NURSING DEPARTMENT OF CONSUMER AFFAIRS	
11	STATE OF CAL	IFORNIA
12	In the Matter of the Accusation Against:	Case No. 2008-342
13	SUSAN VERMEULEN JAMISON,	ACCUSATION
14	a.k.a. SUSAN JAMISON, a.k.a. SUSAN LOUISE JAMISON,	ACCUSATION
15	a.k.a. SUSAN LOUISE VERMEULEN 1804 Henry Court Ripon, CA 95366	
16	• 1	
17	Registered Nurse License No. 227576	
18	Respondent.	
19	Complainant alleges:	
20	<u>PARTIES</u>	
21	1. Ruth Ann Terry, M.P.H., R.N. ("Complainant") brings this Accusation	
22	solely in her official capacity as the Executive Officer of the Board of Registered Nursing	
23	("Board"), Department of Consumer Affairs.	
24	2. On or about July 31, 1972, the	e Board issued Registered Nurse License
25	Number 227576 to Susan Vermeulen Jamison, also known as Susan Jamison, Susan Louise	
26	Jamison, and Susan Louise Vermeulen ("Respondent"). Respondent's registered nurse license	
27	was in full force and effect at all times relevant to the charges brought herein and will expire or	
28	March 31, 2010, unless renewed	

STATUTORY PROVISIONS

- 3. Business and Professions Code ("Code") section 2750 provides, in pertinent part, that the Board may discipline any licensee, including a licensee holding a temporary or an inactive license, for any reason provided in Article 3 (commencing with section 2750) of the Nursing Practice Act.
- 4. Code section 2761, subdivision (a), states that the Board may take disciplinary action against a certified or licensed nurse or deny an application for a certificate or license for unprofessional conduct.
 - 5. Code section 2762 states, in pertinent part:

In addition to other acts constituting unprofessional conduct within the meaning of this chapter [the Nursing Practice Act], it is unprofessional conduct for a person licensed under this chapter to do any of the following:

- (a) Obtain or possess in violation of law, or prescribe, or except as directed by a licensed physician and surgeon, dentist, or podiatrist administer to himself or herself, or furnish or administer to another, any controlled substance as defined in Division 10 (commencing with Section 11000) of the Health and Safety Code or any dangerous drug or dangerous device as defined in Section 4022.
- (b) Use any controlled substance as defined in Division 10 (commencing with Section 11000) of the Health and Safety Code, or any dangerous drug or dangerous device as defined in Section 4022, or alcoholic beverages, to an extent or in a manner dangerous or injurious to himself or herself, any other person, or the public or to the extent that such use impairs his or her ability to conduct with safety to the public the practice authorized by his or her license . . .

6. Code section 2770.11 states:

- (a) Each registered nurse who requests participation in a diversion program shall agree to cooperate with the rehabilitation program designed by a committee. Any failure to comply with the provisions of a rehabilitation program may result in termination of the registered nurse's participation in a program. The name and license number of a registered nurse who is terminated for any reason, other than successful completion, shall be reported to the board's enforcement program.
- (b) If a committee determines that a registered nurse, who is denied admission into the program or terminated from the program, presents a threat to the public or his or her own health and safety, the committee shall report the name and license number, along with a copy of all diversion records for that registered nurse, to the board's enforcement program. The board may use any of the records it receives under this subdivision in any disciplinary proceeding.

///

7. Health and Safety Code section 11173, subdivision (a), states, in pertinent 1 2 part: 3 No person shall obtain or attempt to obtain controlled substances, or procure or attempt to procure the administration of or prescription for controlled substances, (1) by fraud, deceit, misrepresentation, or subterfuge . . . 4 5 **Cost Recovery** 8. Code section 125.3 provides, in pertinent part, that the Board may request 6 7 the administrative law judge to direct a licentiate found to have committed a violation or 8 violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation 9 and enforcement of the case. 10 **CONTROLLED SUBSTANCES AT ISSUE** 11 9. "Demerol" is a brand of meperidine hydrochloride, a derivative of 12 pethidine, and a Schedule II controlled substance as designated by Health and Safety Code 13 section 11055, subdivision (c)(17). "Vicodin" is a compound consisting of 5 mg hydrocodone bitartrate, also 14 10. known as dihydrocodeinone, and 500 mg acetaminophen per tablet, and is a Schedule III 15 16 controlled substance as designated by Health and Safety Code section 11056, subdivision (e)(4). 17 FIRST CAUSE FOR DISCIPLINE 18 (Diversion and Self-Administration of Controlled Substances) 19 Respondent is subject to disciplinary action pursuant to Code section 11. 20 2761, subdivision (a), on the grounds of unprofessional conduct, as defined by Code section 21 2762, subdivision (a), in that in and between early 2001 and July 2002, while licensed as a 22 registered nurse and/or employed as a registered nurse in the Post Anesthesia Care Unit at 23 Doctors' Medical Center, Modesto, California, Respondent did the following: 24 **Diversion of Controlled Substances:** 25 During the time period indicated above and while on duty as a registered 26 nurse at Doctors' Medical Center, Respondent obtained the controlled substance Demerol by

fraud, deceit, misrepresentation, or subterfuge, in violation of Health and Safety Code section

27

28

///

11173, subdivision (a), by diverting or taking unknown quantities of Demerol from the hospital supply for her own personal use.

Self-Administration of Controlled Substances:

b. During the time period indicated above, Respondent self-administered the controlled substance Demerol without lawful authority therefor, as more particularly set forth in paragraph 13 below.

SECOND CAUSE FOR DISCIPLINE

(Use of Controlled Substances to an Extent or in a Manner Dangerous or Injurious to Oneself or Others)

2761, subdivision (a), on the grounds of unprofessional conduct, as defined by Code section 2762, subdivision (b), in that in and between 1996 and August 2002, while licensed as a registered nurse and/or employed or on duty as a registered nurse at Doctors' Medical Center, Modesto, California, Respondent used the controlled substances Demerol and Vicodin to an extent or in a manner dangerous or injurious to herself and/or others, as follows: During the time period indicated above, Respondent took prescription Vicodin on a daily basis. Respondent initially used Vicodin for pain, then began using it to medicate her mood. Respondent also took Vicodin to maintain her energy level while at work. Respondent's use of Vicodin progressed to the point where she began diverting Demerol at work. From approximately 2001 through July 2002, Respondent diverted Demerol and used the medication intramuscularly two or more times per week.

PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

1. Revoking or suspending Registered Nurse License Number 227576, issued to Susan Vermeulen Jamison, also known as Susan Jamison, Susan Louise Jamison, and Susan Louise Vermeulen;

| ///

1	2. Ordering Susan Vermeulen Jamison, also known as Susan Jamison, Susan	
2	Louise Jamison, and Susan Louise Vermeulen, to pay the Board of Registered Nursing the	
3	reasonable costs of the investigation and enforcement of this case, pursuant to Business and	
4	Professions Code section 125.3;	
5	3. Taking such other and further action as deemed necessary and proper.	
6		
7	DATED: 616108	
8	Rete Onn Tu	
9	RUTH ANN TERRY, M.P.H., R.N. Executive Officer	
10	Board of Registered Nursing Department of Consumer Affairs	
11	State of California	
12	Complainant	
13		
14		
15		
16		
17		
18	03579-110-SA2008301555 phd; 04/21/2008	
19		
20		
21		
22		
23		
24		
25		
26		
27		